

House Amendment 2101

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1 1 Amend the Senate amendment, H=1701, to House File
1 2 844, as passed by the House, as follows:
1 3 #1. Page 1, by inserting after line 26 the
1 4 following:
1 5 <Sec. _____. Section 49.37, Code 2007, is amended by
1 6 adding the following new subsection:
1 7 NEW SUBSECTION. 4. Any ballot upon which appears
1 8 the names of candidates for an elective state office
1 9 or for the general assembly shall contain for each of
1 10 those offices an additional line equivalent to the
1 11 lines on which the candidates' names appear and placed
1 12 at the end of the row or column containing the names
1 13 of the candidates for that office. Each such
1 14 additional line shall contain a voting target whereby
1 15 the voter may express the voter's choice of that line
1 16 in the same manner as the voter would choose a
1 17 candidate, and the line shall read "None of These
1 18 Candidates".
1 19 For purposes of this subsection, "elective state
1 20 office" means the offices of governor and lieutenant
1 21 governor, secretary of state, auditor of state,
1 22 treasurer of state, secretary of agriculture, and
1 23 attorney general.
1 24 Sec. _____. Section 50.45, Code 2007, is amended to
1 25 read as follows:
1 26 50.45 CANVASS PUBLIC == RESULT DETERMINED.
1 27 All canvasses of tally lists shall be public, and
1 28 the persons having the greatest number of votes shall
1 29 be declared elected, except that if the choice "None
1 30 of These Candidates" receives a simple majority of the
1 31 total votes cast for that office, no person shall be
1 32 declared elected, and the governor shall order a
1 33 special election and issue a proclamation pursuant to
1 34 section 39.6. The special election shall be conducted
1 35 in the manner provided for in section 69.21.
1 36 PARAGRAPH DIVIDED. When a public measure has been
1 37 submitted to the electors, the proposition shall be
1 38 declared to have been adopted if the vote cast in
1 39 favor of the question is greater than fifty percent of
1 40 the total vote cast in favor and against the question,
1 41 unless laws pertaining specifically to the public
1 42 measure election establish a higher percentage of a
1 43 favorable vote. All ballots cast and not counted as a
1 44 vote in favor or against the proposition shall not be
1 45 used in computing the total vote cast in favor and
1 46 against the proposition.
1 47 Sec. _____. Section 50.46, Code 2007, is amended to
1 48 read as follows:
1 49 50.46 SPECIAL ELECTIONS == CANVASS AND
1 50 CERTIFICATE.
2 1 When a special election has been held to fill a
2 2 vacancy, pursuant to section 69.14, or when a special
2 3 election has been held pursuant to section 69.21, the
2 4 board of county canvassers shall meet at one o'clock
2 5 in the afternoon of p.m. on the second day after the
2 6 election, and canvass the votes cast at the election.
2 7 The commissioner, as soon as the canvass is completed,
2 8 shall transmit to the state commissioner an abstract
2 9 of the votes so canvassed, and the state board, within
2 10 five days after receiving such abstracts, shall
2 11 canvass the tally lists. A certificate of election
2 12 shall be issued by the county or state board of
2 13 canvassers, as in other cases. All the provisions
2 14 regulating elections, obtaining tally lists, and
2 15 canvass of votes at general elections, except as to
2 16 time, shall apply to special elections.>
2 17 #2. Page 3, by inserting after line 19 the
2 18 following:
2 19 <#_____. Page 6, by inserting after line 25 the
2 20 following:
2 21 <Sec. _____. NEW SECTION. 69.21 SPECIAL ELECTION
2 22 == GENERAL ASSEMBLY AND ELECTIVE STATE OFFICES.
2 23 1. A special election ordered pursuant to section
2 24 50.45 shall be held not less than forty-two and not

2 25 more than fifty days following the date the governor
2 26 ordered the special election.

2 27 2. a. A political party that had a candidate on
2 28 the general election ballot for the office for which a
2 29 special election has been ordered may nominate another
2 30 candidate for the office in the manner provided for in
2 31 section 43.78, subsection 1.

2 32 b. Nominations for all other candidates may be
2 33 made as follows:

2 34 (1) For an elective state office, by nomination
2 35 petition signed by not less than one thousand eligible
2 36 electors of the state.

2 37 (2) For senator in the general assembly, by
2 38 nomination petition signed by not less than one
2 39 hundred eligible electors of the senate district.

2 40 (3) For representative in the general assembly, by
2 41 nomination petition signed by not less than fifty
2 42 eligible electors of the representative district.

2 43 c. A candidate whose name was on the general
2 44 election ballot for the office for which a special
2 45 election has been ordered is disqualified from
2 46 nomination in the special election.

2 47 3. Nomination petitions must be filed in the
2 48 office of the state commissioner of elections not
2 49 later than five p.m. on the twenty-fifth day before
2 50 the special election. Each nomination petition must
3 1 be accompanied by an affidavit executed by the
3 2 candidate in the same form as that provided in section
3 3 43.18, section 44.3, subsection 2, or section 45.3,
3 4 whichever is applicable.

3 5 4. A candidate nominated for an office to be
3 6 filled at the special election may withdraw as a
3 7 nominee for that office on or before, but not later
3 8 than, the fifteenth day before the date of the special
3 9 election by notifying the state commissioner of
3 10 elections in writing.

3 11 If a person who has filed nomination papers with
3 12 the state commissioner as a candidate in the special
3 13 election dies or withdraws on or before the fifteenth
3 14 day before the special election, the appropriate
3 15 convention of that person's political party may
3 16 designate one additional special election candidate
3 17 for the nomination that person was seeking, if the
3 18 designation is submitted to the state commissioner in
3 19 writing no later than five p.m. on the twelfth day
3 20 before the date of the special election.

3 21 5. Objections to the eligibility of a candidate in
3 22 the special election must be filed pursuant to section
3 23 43.24 not less than nineteen days before the date of
3 24 the special election.

3 25 6. The state commissioner of elections shall
3 26 certify to the commissioner of each county at the
3 27 earliest practicable time, and under separate party
3 28 headings, the name of each person nominated, the
3 29 office to which the person is nominated, and the order
3 30 in which the tickets of the several political parties
3 31 shall appear on the official ballot.

3 32 7. The ballots provided for the special election
3 33 shall not contain the designation "None of These
3 34 Candidates".

3 35 8. The votes cast in the special election shall be
3 36 canvassed and a certificate of election issued in the
3 37 manner provided for in section 50.46. The
3 38 candidate=elect shall be sworn into office immediately
3 39 following the issuance of the certificate of election
3 40 by the state commissioner of elections.

3 41 Sec. ____ IMPLEMENTATION OF ACT. Section 25B.2,
3 42 subsection 3, shall not apply to this Act.>>
3 43 #3. By renumbering as necessary.

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3 47 JACOBS of Polk
3 48 HF 844.304 82
3 49 sc/cf/10331